

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 UNITED STATES OF AMERICA, )  
8 )  
9 Plaintiff, ) Case No. MJ08-464  
10 v. )  
11 JIMMY GENE MILLER Jr., )  
Defendant. )  
DETENTION ORDER

12 Offense charged:

13 Possession of Crack Cocaine with Intent to Distribute; Carrying a Firearm in Relation to A  
14 Drug Trafficking Crime; Felon in Possession of a Firearm  
15 Detention Hearing: March 2, 2009.

16 The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f) and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which the defendant can meet will reasonably  
19 assure the appearance of the defendant as required and the safety of any other person and the  
20 community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 1. Defendant is charged by complaint with Possession of Crack Cocaine with Intent to  
23 Distribute; Carrying a Firearm in Relation to A Drug Trafficking Crime; and being a Felon in

1 Possession of a Firearm. Defendant has a felony criminal history beginning in 1997. He has  
2 convictions for assault in the first, second and fourth degree, violation of the uniformed controlled  
3 substances act and unlawful use of weapons and numerous state supervision violations. Defense  
4 counsel stipulated to detention and was granted leave to move for release if new circumstances  
5 arise.

6 It is therefore ORDERED:

7 (1) Defendant shall be detained pending trial and committed to the custody of the  
8 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
9 from persons awaiting or serving sentences, or being held in custody pending appeal;

10 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
11 counsel;

12 (3) On order of a court of the United States or on request of an attorney for the  
13 Government, the person in charge of the correctional facility in which defendant is confined shall  
14 deliver the defendant to a United States Marshal for the purpose of an appearance in connection  
15 with a court proceeding; and

16 (4) The clerk shall direct copies of this order to counsel for the United States, to counsel  
17 for the defendant, to the United States Marshall, and to the United States Pretrial Services Officer.

18 DATED this 5<sup>th</sup> day of March, 2009.

19  
20 

21 BRIAN A. TSUCHIDA  
22 United States Magistrate Judge  
23